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May 27, 2020

VIA ECF

Honorable Sarah L. Cave
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Devin White v. New York City Police Department, et al., 19 CV 7945 (PAE) (SLC)

Your Honor:

I am an Assistant Corporation Counsel in the Office of James E. Johnson, Corporation Counsel of the City of New York (hereinafter “Corporation Counsel”), and the attorney for Defendant City of New York in the above referenced matter. Defendant respectfully writes to 1) seek clarification regarding the date of the upcoming initial pretrial conference in this matter and 2) request an adjournment of the conference in the event that it is scheduled for June 9, 2020. This is Defendant’s third motion to adjourn the initial pretrial conference and it is made without Plaintiff’s consent, as Plaintiff abruptly ended the telephone call in which the undersigned sought his position.

By way of background, on March 3, 2020 the Court scheduled an initial pretrial conference in this matter for April 16, 2020. **ECF No. 24**. On March 6, 2020, Defendant City moved to adjourn the conference on the ground the undersigned’s supervising attorney, Melissa Wachs, was scheduled to be out of the office on April 16, 2020. **ECF No. 25**. By Order dated March 9, 2020, the Court granted Defendant’s request and rescheduled the initial pretrial conference for April 22, 2020. **ECF No. 26**. On March 27, 2020, Defendant requested an additional adjournment in light of the ongoing COVID-19 pandemic. **ECF No. 29**. By Order dated March 30, 2020, Your Honor granted Defendant’s request and rescheduled the initial pretrial conference for June 9, 2020 at 11:00 am. **ECF No. 30**. On May 26, 2020, the Court issued an Order stating that the initial pretrial conference scheduled for June 2, 2020 at 11:00 am would be held via telephone. **ECF No. 33**.

Defendant respectfully seeks clarification on whether the upcoming initial pretrial conference in this matter is scheduled for June 9, 2020 at 11:00 am or June 2, 2020 at 11:00 am. In the event that the conference is scheduled for June 9, 2020, Defendant respectfully requests an

adjournment on the ground that the conference would take place during a training program that the undersigned is required to participate in. This program will take place from June 8, 2020 to June 26, 2020, from 9:15 am to 12:30 pm each day, with a final full day exercise on one of the following dates, to be determined: July 7, 8, 9, 13, 14, or 15.¹

Accordingly, Defendant respectfully 1) seeks clarification regarding the date of the upcoming initial pretrial conference in this matter and 2) requests an adjournment of the conference in the event that it is scheduled for June 9, 2020.

Thank you for your consideration in this matter.

Respectfully submitted,

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Defendants' Letter-Motion for an adjournment (ECF No. 34) is GRANTED. The Initial Conference will be held on **Friday, July 10, 2020 at 11:00 am** with the parties' Proposed Case Management Plan due by **Monday, July 6, 2020**. The Initial Conference will be by phone. The parties are directed to call the Court's conference line at the scheduled time: 866-390-1828, access code 3809799. All parties who intend to speak during the call must use a landline or phone with equivalent quality. On receipt of this order, each party is directed to ensure that all other parties on the case are aware of the conference date and time.

The Clerk of Court is respectfully directed to close ECF No. 34.

SO-ORDERED 5/28/2020


SARAH L. CAVE
United States Magistrate Judge

¹ The undersigned respectfully requests that the conference be rescheduled for any time after 12:30 pm during the week of June 8, 2020 or for any time during the week of June 29, 2020, other than June 30, 2020.